

IN RE:

ANTONIO F LAUREANO MORALES
ARELIS M RIVERA BARBOSA
DEBTOR(S)

CASE NO. 18-04891-ESL
CHAPTER 13

****AMENDED DOCUMENT******TRUSTEE'S REPORT ON CONFIRMATION**

1. The applicable commitment period is: 5 years
2. The liquidation value of the estate is \$: 0.00
3. The general unsecured pool is \$: 0.00

PLAN DATE: August 28, 2018

PLAN BASE: \$52,800.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 3/26/2019☐

FAVORABLE

☒

UNFAVORABLE

1. [X] FEASIBILITY 11 USC § 1325(a)(6):

a) Debtor has 4 months in arrears with the trustee; equivalent to \$1,200.00. b) Debtors have to address with proper projections as to how they will be able to increase the plan payments.

2. [X] INSUFFICIENTLY FUNDED § 1325(b):

Plan is not sufficient funds to pay priority Treasury Dept of PR.

3. [X] UNFAIR DISCRIMINATION § 1322(b):

Amend plan to eliminate secured treatment to Asoc. Residentes de Horizontes, Inc. as per order granting trustee's Objection to Claim No. 7. Debt is now unsecured.

4. [X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):

Debtor submitted income evidence for 01/07/2018 \$497.00; 01/14/2018 \$119.08 and 01/21/2018 \$608.06. Statement of Financial Affairs discloses year to date (YTD) income \$0.00. Per Schedule I debtor is not employed.

5. [X] DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):

Plan does not provide for direct payment to Coop Jesus Obrero retirement loan (Claim No. 10.)

6. [X] FAILS SECTION 1325(a)(9):

- State Tax Returns: All missing. Years 2014 thru 2017.

[X] OTHER:

1) Coop Jesus Obrero "Objection to Confirmation of Plan" filed on 8-31-2018 docket no. 9 and FBPR's "Opposition to Confirmation " filed on 9-26-2018 docket no. 16 are pending to be addressed by debtor. 2) Amend Statement of Financial Affairs to include a vehicle used by then belonging to a cousin. 3) Debtors are to amend schedules of income and expenses to account for fact that they supply two dependents (for tax purposes) approx. \$300 a month. They might cease those payments.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Pedro R Medina

Pedro R Medina

Atty: VICTOR THOMAS SANTIAGO*

USDC #226614

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

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CMC - DR